

## Maine Revised Statutes

### Title 38: WATERS AND NAVIGATION

#### Chapter 12-B: LEAD ABATEMENT HEADING: PL 1997, c. 375, §14 (new)

##### §1292. PROHIBITIONS

**1. License or certificate required for residential lead-based paint activities.** A person may not engage in any residential lead-based paint activities in the State unless licensed or certified pursuant to this chapter.

[ 1997, c. 375, §14 (NEW) . ]

**2. License or certificate required for lead-based paint activities in public buildings, commercial buildings and superstructures.** After the effective date of rules adopted by the department pursuant to section 1295 for licensing and certification to conduct lead-based paint activities in public buildings, commercial buildings and superstructures, a person may not engage in any lead-based paint activities in the State unless licensed or certified pursuant to this chapter.

[ 1997, c. 375, §14 (NEW) . ]

**3. Notification required.** A person may not engage in any residential lead abatement activity unless that person notifies the commissioner in writing at least 5 working days before beginning any on-site work, including on-site preparation work, that has the potential to create lead dust. After the effective date of rules adopted by the department pursuant to section 1295 for notification of lead abatement activities in public buildings, commercial buildings and superstructures, a person may not engage in those lead abatement activities unless the person notifies the commissioner in writing at least 5 working days before beginning any on-site work, including on-site preparation work, that has the potential to create lead dust.

[ 1997, c. 375, §14 (NEW) . ]

**4. Work practices.** All residential lead-based paint activities must be conducted in accordance with work practice standards adopted by rule pursuant to this chapter. After the effective date of rules adopted by the department pursuant to section 1295 for work practices pertaining to lead-based paint activities in public buildings, commercial buildings and superstructures, those lead-based paint activities must be conducted in accordance with the applicable work practice standards adopted by rule.

[ 1997, c. 375, §14 (NEW) . ]

**5. Exemption.** A person who is 18 years of age or older need not obtain licensing and certification to perform lead abatement activities within a residential dwelling unit that the person owns and personally occupies, as long as a child residing in the dwelling unit has not been identified as lead-poisoned. A person 18 years of age or older who owns and personally occupies a dwelling unit in which a resident child has been identified as lead-poisoned need not obtain licensing and certification to perform abatement activities within that dwelling unit, as long as the person completes any training required by the Department of Health and Human Services.

[ 1997, c. 624, §14 (AMD); 2003, c. 689, Pt. B, §6 (REV) . ]

##### SECTION HISTORY

1997, c. 375, §14 (NEW). 1997, c. 624, §14 (AMD). 2003, c. 689, §B6 (REV) .

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